IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COZEN O'CONNOR, P.C.,	:	CIVIL ACTION
	:	
Plaintiff,	:	NO. 11-0045
	:	
v.	:	
	:	
JENNIFER J. TOBITS, et al.	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 29th day of July 2013, upon consideration of Cozen O'Connor's First Amended Complaint for Interpleader, dated January 24, 2011 (Dkt. No. 3); Defendant Farleys' Answer, Counterclaim, and Crossclaim, dated August 1, 2011 (Dkt. No. 14); Defendant Tobits' Answer, Affirmative Defenses, Counterclaim and Cross-Claims To Interpleader First Amended Complaint, dated August 1, 2011 (Dkt. No. 15); Defendant Farleys' Motion To Dismiss Jennifer J. Tobits' Crossclaims Pursuant to FRCP 12(b)(6), dated August 22, 2011 (Dkt. No. 25); Plaintiff Cozen O'Connor's Motion for Judgment on the Pleadings Pursuant to Rule 12(c), dated September 8, 2011, (Dkt. No. 31); Cross-Claimant Tobits' Motion for Judgment on the Pleadings as to the Farleys' Cross-Claim and Counterclaim For ERISA Relief, dated September 13, 2011, (Dkt. No. 36), and the various responses thereto, it is hereby ORDERED that:

1) Pursuant to the terms of the Cozen O'Connor Profit-Sharing Plan and applicable law, Jennifer Tobits is the "surviving Spouse" of Sarah Ellyn Farley;

2) Cozen O'Connor's First Amended Complaint for Interpleader is GRANTED to the extent that Cozen shall pay into the Registry of the Court all amounts due under the Plan;

3) As Sarah Ellyn Farley's "surviving Spouse," Defendant Jennifer Tobits is entitled to an award of all monies paid in the Registry of the Court after the deposit is completed;

4) Plaintiff Cozen O'Connor is entitled to discharge of future liability to Defendants Jennifer Tobits and the Farleys concerning the distribution of the Plan's death benefits;

5) Defendants and Cross-Claimants Farleys' Motion to Dismiss is DENIED;

6) All other pending Motions are DENIED as MOOT; and

7) The Parties shall bear their own costs and attorneys' fees.

BY THE COURT:

/s/ C. Darnell Jones, II

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C. DARNELL JONES, II   J.